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English - Or. English

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
WORKING GROUP ON BRIBERY IN INTERNATIONAL BUSINESS TRANSACTIONS**

Proposed amendment to procedures for adopting and publishing two year written follow-up reports

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This document is for discussion under agenda item 11.

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1. Under the OECD Anti-Bribery Convention Phase 2 and Phase 3 Monitoring Information Resources (hereafter procedures), countries' two year written follow-up reports are published on the Working Group on Bribery (WGB) website following its approval of the summary and conclusions by written procedure.¹ This document proposes amending the Phase 2 and 3 procedures to align with those for Phase 4, under which the summary and conclusions are adopted in Plenary, rather than by written procedure.
2. Both the Phase 2 and 3 procedures are silent on the timing of circulation, adoption, and publication of the draft summary and conclusions. As a result, there has been some inconsistency with the timing of adoption and publication of two year written follow-up reports.
3. Conversely, the Phase 4 procedures provide that the summary and conclusions for Phase 4 two year written follow-up reports should be revised and adopted during the meeting and published on the WGB website thereafter. The Procedures state that such reports should only be circulated for approval by written procedure in "exceptional circumstances" where the WGB was unable to approve them during the meeting.² The Phase 4 procedures are similarly silent on the exact timing of publication.
4. It is proposed that for consistency, the summary and conclusions for *all* two year written follow-up reports (i.e. Phases 2-4) be revised and adopted during Plenary and published online as soon as possible thereafter (in line with publication of monitoring reports). Adopting the summary and conclusions at Plenary instead of by written procedure will save time, streamline the process for all Phases, and ensure consistency with the timing of publication.
5. This would mean that, going forward, the evaluated country will need to consider ahead of the Plenary discussion, whether there is any confidential information in its report that should be removed prior to publication (as is already the case under the Phase 4 procedures).
6. Should the WGB agree, the relevant monitoring procedures will be revised accordingly and circulated to the WGB for approval by written procedure. The Secretariat will also make the corresponding changes to the Memorandum on Management of Working Group on Bribery Documents [DAF/WGB(2017)58] and recirculate it the WGB for information.

¹ See [Phase 2 Procedures](#), pg. 18 and [Phase 3 Procedures](#), pg. 24.

² [Phase 4 Procedures](#), pg. 24;